IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FOURTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 5918 of 2005

Between:

Peetha Suryanarayana, S/o. Jalachandrudu,

President, Sri Kanakadurga Fishermen Co.op. Society,

Gajullanka, Kollur Mandal, Guntur District.

..... PETITIONER

AND

1. The Mandal Development Officer, Kollur Mandal,

Guntur District.
2. The District Panchayat Officer, Guntur, Guntur District.
3. The District Panchayat Officer, Krishna at Machilipatnam.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the public auction Notification bearing Rc.No. 66/05-A, dated 4-3-2005 issued by the 1st Respondent for leasing out the ferry connecting the Gram Panchayat, Ganjullanka, Guntur District, and Gram Panchayat, Srikakulam, Krishna District, as illegal, arbitrary, contrary to Rules apart from being violative of Articles 14 of the Constitution of India and set aside the same.

Counsel for the Petitioner: MR.RAVI KONDAVEETI

Counsel for the Respondent Nos.1 to 3: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court made the following :

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ORDER:

Heard the learned Counsel for the petitioner and the learned Government Pleader for Panchayat Raj and Rural Development appearing for the respondents.

2. The petitioner seeks a declaration that the public auction proposed to be conducted under the impugned notification dated 04.03.2005 in respect of the leasehold rights of the ferry connecting the Gram Panchayat, Gajullanka, Guntur District, and Gram Panchayat, Srikakulam, Krishna District, without considering the request made by the petitioner for extension of the lease, as arbitrary and illegal.

3. The petitioner claims to be the President of Sri Kanakadurga Fishermen Co-operative Society, Gajullanka. It is stated that for the year 2004-2005 the said society was granted the lease and they paid the entire bid amount. However, they could not run the boats since there was no sufficient water in the river. Therefore, a representation dated 02.03.2005 has been made to the respondents seeking to grant the lease in favour of the petitioner for this year also.

4. The grievance of the petitioner is that without considering the said representation, the respondents are proceeding with fresh auction for the year 2005-2006. Hence, this writ petition.

5. Having heard the learned counsel for the petitioner and the learned Government Pleader for Panchayat Raj and Rural Development and in view of the fact that the representation of the petitioner is still pending, I deem it appropriate to dispose of the writ petition with a direction to the respondents to consider the representation of the

petitioner dated 02.03.2005 and pass appropriate orders in accordance with law within a period of one week from the date of receipt of a copy of this Order.

6. The writ petition is accordingly disposed of. No costs.

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G. ROHINI, J

Dated: 24th March, 2005.

NOTE:

Issue C.C. tomorrow.

B/O

Cs

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Mandal Development Officer, Kollur Mandal,

Guntur District.
2. The District Panchayat Officer, Guntur, Guntur District.
3. The District Panchayat Officer, Krishna at Machilipatnam.

4. Two C.Cs. to the Government Pleader for Panchayat Raj and

Rural Development, High Court Buildings, Hyderabad. (O.U.T.)

5. 2 CD copies